

# ALSTON & BIRD LLP

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June 14, 2006

*VIA UPS NEXT-DAY DELIVERY &  
ELECTRONIC MAIL*

Mr. Borrah E. Campbell II  
38 Fairlane Drive  
Montgomery, AL 36106

Re: *Campbell v. UPS*, Civil Action No. 2:06-CV-205-WHA-CSC; Plaintiff's  
Discovery Responses and Deposition

Dear Mr. Campbell:

Following up on our telephone conversation last week and my May 22, 2006 e-mail and June 1, 2006 letter to you, it is imperative that we move discovery forward in this case and proceed with your deposition. I regret that our commitments in other cases have made it difficult to find a date where we are all available for the deposition. It is best that we set a date now before other obligations arise. In this regard, since you have not proposed a date, we are enclosing an Amended Notice setting your deposition for June 26, 2006. If that date will not work for you, we are willing to take your deposition on June 27, 2006, but you must let us know by Friday, June 16, 2006 if you would like to move the deposition to June 27<sup>th</sup>; otherwise, we will expect your appearance on June 26<sup>th</sup> at the hour and place set forth in the Amended Notice.

Also, we still have not received your responses to UPS's First Interrogatories, First Requests for Production of Documents and Things, and First Requests for Admissions, all of which we served on April 21, 2006. I reminded you of your responsibility to respond to these discovery requests when we last spoke and in my June 1, 2006 letter to you. Please be advised that if you do not respond, we will be forced to file a motion asking the Court to compel your compliance. We do not wish to unnecessarily impose upon the Court, and thus urge you to send us your responses immediately in accordance with the Federal Rules of Civil Procedure. You may send your responses and documents to my attention at the address shown above.

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101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
704-444-1000  
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90 Park Avenue  
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3201 Beechleaf Court, Suite 600  
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202-756-3300  
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Thank you for your attention to these matters. I look forward to hearing from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Tucker". The signature is fluid and cursive, with the first name "Jeremy" and last name "Tucker" clearly distinguishable.

Jeremy Tucker

JT:jt  
Enclosure

cc: Lisa Cassilly (w/o enclosure)  
Randy James

ATL01/12245424v1